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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 06-0375 SI
Plaintiff,) STIPULATION AND [PROPOSED]
v.) ORDER EXCLUDING TIME FROM
JORGE ESTRADA,) SPEEDY TRIAL ACT CALCULATION
Defendant.) (18 U.S.C. § 3161(h)(8)(A))

With the agreement of the parties, and with the consent of defendant Jorge Estrada, the Court enters this order documenting defendant's exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1), from May 7, 2007, to October 15, 2007. The parties agree, and the Court finds and holds, as follows:

1. Defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny the defendant continuity of counsel. Defendant's counsel, Ms. Falk, has been in trial since mid-January. Because of this trial, Ms. Falk cannot reasonably commence trial in the instant case on the scheduled trial date of May 7, 2007. The parties have agreed to an alternative trial date of October 15, 2007. Ms. Falk has established a strong relationship with defendant, and it would not be in defendant's interest to

1 seek alternative counsel in order to allow for an earlier trial date.

2 2. Given these circumstances, the Court found that the ends of justice served by
3 excluding the period from May 7, 2007, to October 15, 2007, outweigh the best interest of the
4 public and the defendant in a speedy trial. Id. at § 3161(h)(8)(A).

5 3. Accordingly, and with the consent of the defendant, at the hearing on March 30, 2007,
6 the Court ordered that the period from May 7, 2007, to October 15, 2007, be excluded from
7 Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

8 IT IS SO STIPULATED.

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10 DATED: April 30, 2007

/s/
ELIZABETH FALK
Attorney for Defendant

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12 DATED: April 4, 2007

/s/
ANDREW P. CAPUTO
Assistant United States Attorney

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14 IT IS SO ORDERED.

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16 DATED: _____


HONORABLE SUSAN Y. ILLSTON
United States District Judge

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